

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://www.waterrights.ca.gov>

S000021

2006, 2007, 2008

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

NICE MUTUAL WATER CO

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2009

Primary Contact:

NICE MUTUAL WATER CO

PO BOX 578

NICE, CA 95464

Agent:

Address:

Phone No. 707-274-1149

Phone No.

Fax No.

Fax No.

E-mail Address:

E-mail Address:

Source Name: CLEAR LAKE

Tributary To:

County: Lake

Diversion within: SW 1/4 of NE 1/4 Section 27, T 15 N, R 9 W, MDB&M

Year of First Use:

Name of Diversion works:

Assessor Parcel Number of the Diversion site:

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ___ Court Decree No.: ___ Other (explain): Contract with Yolo County

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) 1960

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) _____ Gallons per day (gpd) _____ Cubic feet per second (cfs) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2006													
2007													
2008													

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons _____ Million Gallons (MG) XX Acre-feet (AF) _____

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2006	SEE ATTACHED												
2007	SEE ATTACHED												
2008	SEE ATTACHED												

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering _____; Domestic 1052 Connections
Other (specify) _____

Parcel Number(s) of Place of Use: _____

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

N/A

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES XX NO _____
Describe any water conservation efforts you have initiated: Tier Rate Schedule

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO XX
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO XX
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 4, 20 09 at Nice, California

SIGNATURE: _____

PRINTED NAME: David Fultz
(first name) (middle initial) (last name)

COMPANY NAME: Nice Mutual Water Company

ITEM CONTINUATION
If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.

D SEE ATTACHED

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

PUBLIC WATER SYSTEM STATISTICS

Calendar Year 2006

1. General Information

Please follow the provided instructions.

Contact : David Fultz

Title: Manager

Phone: 707-274-1149

Fax: 707-274-3345

E-mail:

Website:

County: Lake

Population served: 2501

Names of communities served: Nice

2. Active Service Connections

Customer Class	Potable Water		Recycled Water	
	Metered	Unmetered	Metered	Unmetered
Single Family Residential	973			
Multi-family Residential				
Commercial/Institutional	80			
Industrial	10			
Landscape Irrigation				
Other				
Agricultural Irrigation				
TOTAL	1063			

3. Total Water Into the System - Units of production:

☐ acre-feet ☒ million gallons ☐ hundred cubic feet

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Wells													
Potable Surface	9.032	8.183	8.866	8.614	10.968	12.726	16.161	14.757	13.53	11.105	9.208	9.024	132.174
Purchased ^{1/}													
Total Potable	9.032	8.183	8.866	8.614	10.968	12.726	16.161	14.757	13.53	11.105	9.208	9.024	132.174
Untreated Water													
Recycled ^{2/}													

1/ Potable wholesale supplier(s): n/a

2/ Recycled wholesale supplier(s): n/a

Level of treatment:

☐ acre-feet ☐ million gallons ☒ hundred cubic feet

4. Metered Water Deliveries - Units of delivery:

If recycled is included, ✓ box ↓

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
A. Single Family Residential <input type="checkbox"/>	468500	454100	599400	612500	641200	957900	1102200	1156000	825600	810600	554800	482100	8664900
B. Multi-family Residential <input type="checkbox"/>													
C. Commercial/Institutional <input type="checkbox"/>	343600	292100	346900	352600	382100	496200	603200	574200	505600	389300	395300	314500	4995600
D. Industrial <input type="checkbox"/>													
E. Landscape Irrigation <input type="checkbox"/>													
F. Other <input type="checkbox"/>													
Total Urban Retail (A thru F)	812100	746200	946300	965100	1023300	1454100	1705400	1730200	1331200	1199900	950100	796600	13660500
Agricultural Irrigation <input type="checkbox"/>													
Wholesale (to other agencies) <input type="checkbox"/>													

Nice Mutual Water Co. David Fultz,
 Manager PO Box 578 Nice, CA
 95464 PWS#1710008 ND

PUBLIC WATER SYSTEM STATISTICS

Calendar Year 2007

1. General Information

Please follow the provided instructions.

Contact : David Fultz

Title: Manager

Phone: 707-274-1149

Fax: 707-274-3345

E-mail: nicemwrmng@mchsi.com

Website:

County: Lake

Population served: 2509

Names of communities served: Nice, Ca

2. Active Service Connections

Customer Class	Potable Water		Recycled Water	
	Metered	Unmetered	Metered	Unmetered
Single Family Residential	973			
Multi-family Residential				
Commercial/Institutional	80			
Industrial	8			
Landscape Irrigation				
Other				
Agricultural Irrigation				
TOTAL	1061			

3. Total Water Into the System - Units of production:

☐ acre-feet ☒ million gallons ☐ hundred cubic feet

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Wells													
Surface	9.22	8.06	10.02	10.32	12.43	12.92	15.39	14.2	12.5	9.48	9.2	9.09	132.83
Purchased ^{1/}													
Total Potable	9.22	8.06	10.02	10.32	12.43	12.92	15.39	14.2	12.5	9.48	9.2	9.09	132.83
Untreated Water													
Recycled ^{2/}													

1/ Potable wholesale supplier(s): n/a

2/ Recycled wholesale supplier(s): n/a

Level of treatment:

4. Metered Water Deliveries - Units of delivery:

☐ acre-feet ☐ million gallons ☒ hundred cubic feet

If recycled is included, ✓ box ↓													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
A. Single Family Residential <input type="checkbox"/>	5887	4447	4909	5354	7231	10377	9954	10139	9925	5594	4818	5140	83875
B. Multi-family Residential <input type="checkbox"/>													
C. Commercial/Institutional <input type="checkbox"/>	3093	2937	2629	4052	3675	3817	5735	4653	4760	3845	3004	3359	45559
D. Industrial <input type="checkbox"/>													
E. Landscape Irrigation <input type="checkbox"/>													
F. Other <input type="checkbox"/>													
Total Urban Retail (A thru F)	9080	7384	7538	9406	10906	14194	15689	14792	14685	9439	7822	8499	129434
Agricultural Irrigation <input type="checkbox"/>													
Wholesale (to other agencies) <input type="checkbox"/>													

PUBLIC WATER SYSTEM STATISTICS

Calendar Year 2008

Mailing Label

1. General Information

Please follow the provided instructions.

Contact: David Fultz

Title: Manager

Phone: 707-274-1149

Fax: 707-274-3345

E-mail: nicemwmng@mchsi.com

Website:

County: Lake

Population served: 2509

Names of communities served: Nice, Ca

2. Active Service Connections

Customer Class	Potable Water		Recycled Water	
	Metered	Unmetered	Metered	Unmetered
Single Family Residential	959			
Multi-family Residential				
Commercial/Institutional	93			
Industrial				
Landscape Irrigation				
Other				
Agricultural Irrigation				
TOTAL	1052			

3. Total Water Into the System - Units of production:

☐ acre-feet ☒ million gallons ☐ hundred cubic feet

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Wells													
Potable													
Surface	10	8.7	9.2	9.8	11.2	12.2	14.8	15	13.9	11.8	9.2	9.3	135.1
Purchased ^{1/}													
Total Potable	10	8.7	9.2	9.8	11.2	12.2	14.8	15	13.9	11.8	9.2	9.3	135.1
Untreated Water													
Recycled ^{2/}													

1/ Potable wholesale supplier(s): n/a

2/ Recycled wholesale supplier(s): n/a

Level of treatment:

☐ acre-feet ☐ million gallons ☒ hundred cubic feet

4. Metered Water Deliveries - Units of delivery:

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
If recycled is included, ✓ box ↓													
A. Single Family Residential <input checked="" type="checkbox"/>	4594	5813	4425	6280	6536	8066	10643	9595	9840	7064	5624	4784	83264
B. Multi-family Residential <input type="checkbox"/>													
C. Commercial/Institutional <input checked="" type="checkbox"/>	2629	3667	3016	5081	3702	4858	5458	5088	4822	4124	3707	3037	49189
D. Industrial <input type="checkbox"/>													
E. Landscape Irrigation <input type="checkbox"/>													
F. Other <input type="checkbox"/>													
Total Urban Retail (A thru F)	7223	9480	7441	11361	10238	12924	16101	14683	14662	11188	9331	7821	132453
Agricultural Irrigation <input type="checkbox"/>													
Wholesale (to other agencies) <input type="checkbox"/>													

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 000021

NICE MUTUAL WATER CO.
P O BOX 573
NICE, CA 95464

TELEPHONE NUMBER:
(707) 274-1149

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: CLEAR LAKE

TRIBUTARY TO:

COUNTY: LAKE

DIVERSION

WITHIN: SW1/4 OF NE1/4 SECTION 27, T15N, R09W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1993. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts ☐ Gallons
below are: ☐ Acre-feet
☒ Million Gallons (Other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990	8.8	7.2	8.2	10.6	12.9	12.5	16.5	16.7	15.4	14.7	11.2	12.1	146.80
1991	10.2	8.3	8.5	8.6	10.2	12.6	15.1	14.7	12.0	10.9	9.4	9.4	129.90
1992	9.7	8.7	9.8	10.1	14.2	13.7	16.8	19.3	17.9	13.9	9.3	8.8	152.20

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic 982 Person Served

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Approximately 6,000 Feet of Distribution Main has been replaced with larger diameter pipe.

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

Natural Lake - Surface Water - None reclaimed

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: April 7, 1993, at Nice, California

Signature: Darryl Saylor

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

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STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water Nice Mutual Water Company
Address P. O. Box 578, Nice, Calif. 95964

B. Name of body of water at point of diversion Clear Lake Lake County
Tributary to _____

C. Place of diversion 1/4 1/4 section _____ Township _____ Range _____ B&M
Lake County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent loc. landmarks.

D. Name of works Nice Mutual Water Company

E. Capacity of diversion works 250 Gal. Per Minute cubic feet per second
gallons per minute
gallons
acre-feet
Capacity of storage reservoir 86,000 Gal.
State quantity of water used each month in gallons or acre-feet
Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec. Total Annual
1966 : : : : : : : : : : X : X : 1,574,600
455,100 (455,100) (367,500) (352,000)
If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
Water readings, persons served - Ga. Ft. _____
Maximum annual water use in recent years _____ gallons
Minimum annual water use in recent years _____ gallons
Type of diversion facility: gravity _____, pump X _____
Method of measurement: weir _____, flume _____, electric power meter _____, water meter X _____, estimate _____

F. Purpose of use (what water is being used for) Domestic

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Lakeshore Blvd., Nice

H. Year of first use as nearly as known _____

I. Name of person filing statement Bentley P. Hill
Position Sec-Treas. Organization Nice Mutual Water Co.
Address P. O. Box 578, Nice, Calif.

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed Nov. 1, 1966

Signature Bentley P. Hill - Sec-Treas.

See Instructions on Reverse Side